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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,211	06/20/2003	Steven Bruce Michlin		7306

48648 7590 12/15/2005

STEVEN B. MICHLIN
6771 COTTONWOOD KNOLL
WEST BLOOMFIELD, MI 48322

EXAMINER

LEE, SUSAN SHUK YIN

ART UNIT	PAPER NUMBER
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2852

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10 / 661,211

EXAMINER

ART UNIT

PAPER

12122005

DATE MAILED:

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Commissioner for Patents

Susan S. Lee
Primary Examiner
Art Unit: 2852

The replies filed on 9/23/05 and 9/27/05 (2 separate supplemental amendments on 9/27/05) are not fully responsive to the prior Office Action because:

1. Applicant has not fully corrected the disclosure objection. There are still inconsistencies between elements 153 and 152. They are described as being an initial-tear-region 153 and later a masked area 153 (pages 61 – 62 of specification filed on 9/23/05); and end-of-tear-region 152 and mask 152 (page 62 of specification filed on 9/23/05).
2. The use of the trademark MYLAR has been noted in this application. It should be accompanied by the **generic terminology**.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

3. The supplemental replies filed on 9/27/05 (first and second replies) were not entered because supplemental replies are not entered as a matter of right except as provided in 37 CFR 1.111(a)(2)(ii). Both amendments had deficiencies and did not place the application in condition for allowance. The first supplemental amendment did not correct the inconsistencies as mentioned in the above paragraph. The second supplement amendment, which was later faxed, had an incomplete faxed substitute specification (only pages 76 faxed). In addition, the amendment (faxed version) to change the trademark "TIGHTBOND CEMENT" on page 66 of the supplemental amendment to - - Titebond Wood Glue - - is considered new matter.

Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

An examination of this application reveals that applicant is unfamiliar with patent prosecution procedure. While an inventor may prosecute the application, lack of skill in this field usually acts as a liability in affording the maximum protection for the invention disclosed. Applicant is advised to secure the services of a registered patent attorney or agent to prosecute the application, since the value of a patent is largely dependent upon skilled preparation and prosecution. The Office cannot aid in selecting an attorney or agent.


A listing of registered patent attorneys and agents is available on the USPTO Internet web site <http://www.uspto.gov> in the Site Index under "Attorney and Agent Roster." Applicants may also obtain a list of registered patent attorneys and agents located in their area by writing to the Mail Stop OED, Director of the U. S. Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450

Art Unit: 2852

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan S. Lee whose telephone number is 571-272-2137. The examiner can normally be reached on Mon. - Fri., 10:30-8:00, Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Art Grimley can be reached on 571-272-2136 or 571-272-2800 (Ext. 52). The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Susan S. Lee
Primary Examiner
Art Unit 2852

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